

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IN RE: PHARMACEUTICAL)	
INDUSTRY AVERAGE WHOLESALE)	
PRICE LITIGATION)	MDL No. 1456
_____)	CIVIL ACTION NO. 01-12257-PBS
)	
THIS DOCUMENT RELATES TO:)	
01-CV-12257-PBS and 01-CV 339)	
_____)	

PROCEDURAL ORDER

May 25, 2006

Saris, U.S.D.J.

The parties have filed motions to seal various documents. See, e.g., Docket Nos. 2260, 2262, 2264, 2270, 2277, 2281, 2282, 2283, 2371, 2372, 2377, 2383, 2385, 2387, 2478, 2479, 2482, 2487, 2488, 2490. The Court **DENIES** the motions to seal the memoranda of law except to the extent they reference private medical information of the named plaintiffs. Within two weeks, parties shall review the memoranda and file redacted information for public filing.

While I have not read every page of the voluminous briefing on the motions for summary judgment, based on a good-size sampling, I conclude that the proponents of confidentiality have not demonstrated good cause to seal the data in the memoranda regarding drug pricing.

I **ALLOW** the motion to seal the exhibits, the declarations and the statements of facts simply because I have not had the

opportunity to review the boxes of these documents in the appendices. I reserve the right to unseal them as I read them.

The parties shall no longer file motions to seal documents containing drug pricing information prior to the passage of the effective date of the new Medicare statute.

S/PATTI B. SARIS
United States District Judge